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**A REPORT OF THE
ADMINISTRATIVE CODE COMMITTEE**

A Report to the 54th Legislature

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PREFACE

The Administrative Code Committee (Committee) was relatively inactive during the 1993-94 interim, especially compared to prior interims, largely because its budget was cut in half and because of the decrease from 1989 through 1994 in the number of complaints from the public regarding existing and proposed rules and their application. The Committee met only twice during the interim. The Committee intends to propose one minor piece of clarifying legislation during the 1995 legislative session and did not produce any important memos, reports, or other documents. Therefore, in the interest of saving publication costs and to avoid repeating the material contained in prior Committee reports to the Legislature, this report will be brief, and readers are referred to pertinent material in the report to the 52nd Legislature.



ACTIVITIES DURING THE 1993-94 INTERIM

The Committee met on November 29, 1993, to elect a chairperson and vice chairperson and to discuss its role, history, and powers. There were no substantive items on the agenda.

The Committee met on June 20, 1994, to consider rules setting forth the duties of dental assistants and dental hygienists, rules regulating out-of-state pharmacies, a building codes rule regulating garages and storage sheds, and personal care facilities rules. The Committee also considered and voted to sponsor a bill proposed by staff to clarify the Montana Administrative Procedure Act (MAPA) by providing that an amended proposal notice or an adoption notice may cure certain procedural defects in a notice of proposed rule changes.

The Committee's budget for this biennium is \$7,232. This is half of what the Committee's budget was for the preceding biennium and one-third of what the budget was during the early 1980s. In preparing the Committee's proposed budget for the next biennium, staff polled the Committee on its views. Six members decided that the budget should be doubled, and two members did not respond to the poll. Cutting the budget by two-thirds since the early 1980s, together with cost increases and the decrease in the dollar's value during that time, has placed the Committee in the position of being able to meet only two or three times during the interim, being unable to meet as often as may be necessary, and thus being unable to ensure that it can adequately carry out its mission.

**COMMITTEE HISTORY AND FUNCTION, RULES REVIEW,
COMMITTEE POWERS, AND MAPA REQUIREMENTS**

As noted in the preface, in the interests of saving publication costs and to avoid repeating material contained in former Committee reports to the Legislature, Committee history and function, rules review, Committee powers, and MAPA requirements will not be discussed in this report. For materials discussing these matters, see the Committee's report to the 52nd Legislature.

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